

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MAJOR LEAGUE BASEBALL
PROPERTIES, INC. and CHICAGO CUBS
BASEBALL CLUB, LLC,

Plaintiffs,

v.

TOUSSIANT STEVENS et al.,

Defendants.

Civil Action No. 1:16-cv-09140

**DECLARATION OF R. CHARLES HENN JR.
IN SUPPORT OF PLAINTIFFS' MOTION
FOR DEFAULT JUDGMENT AGAINST DEFENDANT RENEE SMITH**

I, R. Charles Henn Jr., state the following:

1. My name is R. Charles Henn Jr. I am a partner at Kilpatrick Townsend & Stockton LLP, the firm that represents Plaintiffs Major League Baseball Properties, Inc. and Chicago Cubs Baseball Club, LLC in this action. I am over the age of twenty-one and competent to make this declaration based on my personal knowledge.

2. On November 14, 2016, Defendant Renee Smith ("Ms. Smith") filed a handwritten pleading in this action stating, among other things, "I have retained an attorney. Listed below is the information: Shimanovsky & Moscardini . . . 800-782-2260. . . ." ECF 164.

3. On November 15, 2016, I dialed the number listed in Ms. Smith's pleading. I spoke with a woman who handled "intake" for the Shimanovsky firm. I explained that Ms. Smith had filed a document indicating that she had retained an attorney at the firm, and I asked that I be transferred to that attorney. The woman on the phone told me that she typed Ms. Smith's name into their system and that she was not listed as a client. She then put me on hold to

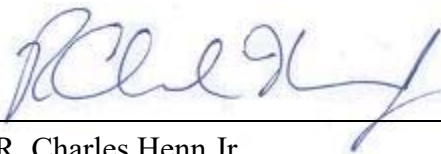
speak with someone else about the matter. When she returned to the call, she re-stated that Ms. Smith was not in their system as a client, but that she would pass along my message to a lawyer on their staff who would call me back if the firm did, in fact, represent Ms. Smith.

4. Having heard nothing, I called back on November 18, 2016, and spoke with a woman named Myra. I explained again that I was trying to get in contact with whatever attorney represents Ms. Smith. She took my name and telephone number and said she would investigate and pass it along.

5. Later that day, I received a call from Brian Elman, an attorney with the Shimanovsky firm. He explained that Ms. Smith had contacted him but that that Ms. Smith had not actually retained him (or the firm) as her counsel. Based on these communications, I believe Ms. Smith is not represented by the Shimanovsky firm.

6. No attorney purporting to represent Ms. Smith has contacted me or any other member of my litigation team.

Pursuant to the provisions of 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing statements are true and correct. Executed on November 25, 2016 in Atlanta, Georgia.



R. Charles Henn Jr